



STATE OF WISCONSIN

Senate Journal

Ninety—Second Regular Session

10:00 A.M.

THURSDAY, May 9, 1996

The Senate met.

The Senate was called to order by Senator Brian Rude.

The Chair, with unanimous consent, asked that the proper entries be made in the journal.

REPORT OF COMMITTEES

The committee on **State Government Operations and Corrections** reports and recommends:

Assembly Bill 1096

Relating to: filing of oaths of members and officers of the assembly and senate, trademark assignments, ineligibility to serve as a notary, articles of amendment for statutory close corporations, reinstatement of corporations following administrative dissolution, including the date of incorporation in certificates of status for foreign corporations, information filed with restated articles of incorporation, including the name of the drafter on documents filed with the secretary of state and the time period within which payment must be received for reservation of name of a limited liability company.

Concurrence.

Ayes, 3 – Senators Drzewiecki, Fitzgerald and Breske.

Noes, 2 – Senators A. Lasee and Moen.

Gary Drzewiecki
Chairperson

The committee on **Transportation, Agriculture and Local Affairs** reports and recommends:

Assembly Bill 927

Relating to: interdepartmental coordination of certain environmental protection measures applicable to transportation projects.

Concurrence.

Ayes, 3 – Senators A. Lasee, Drzewiecki and Zien.

Noes, 2 – Senators Andrea and Clausing.

Alan Lasee
Chairperson

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Department of Administration

April 30, 1996

The Honorable, The Legislature:

This report is transmitted as required by sec. 20.002(11)(f) of the Wisconsin Statutes, (for distribution to the appropriate standing committees under sec. 13.172(3) Stats.), and confirms that the Department of Administration has found it necessary to exercise the “temporary reallocation of balances” authority

provided by this section in order to meet payment responsibilities and cover resulting negative balances during the month of March, 1996.

On March 14, 1996 the **Wisconsin Health Education Loan Repayment Fund** balance was –\$3 thousand. This shortfall continued through the end of the month. The shortfall was due to the timing of revenues.

On March 19, 1996 the **Petroleum Inspection Fund** balance was –\$875 thousand. This shortfall continued until March 20, 1996 when the balance reached +\$7.9 million. The shortfall was due to the timing of revenues.

On March 25, 1996 the **Wisconsin Lottery Fund** balance was –\$8.3 million. This shortfall continued through the end of the month. The shortfall was due to the timing of revenues.

The Wisconsin Health Education Loan Repayment Fund, Petroleum Inspection Fund, and Lottery Fund shortfalls were not in excess of the \$400 million ceiling and did not exceed the balances of the Funds available for interfund borrowing.

The distribution of interest earnings to investment pool participants is based on the average daily balance in the pool and each fund’s share. Therefore, the monthly calculation by the State Controller’s Office will automatically reflect the use of these temporary reallocations of balance authority.

Sincerely,

JAMES R. KLAUSER
Secretary

Referred to the joint committee on **Finance**.

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor

May 6, 1996

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint O BRIEN, GERALD M., of Stevens Point, as a member of the Public Intervenor Board, to serve for the term ending July 1, 1999.

Sincerely,

TOMMY G. THOMPSON
Governor

Read and referred to committee on **Environment and Energy**.

State of Wisconsin
Office of the Governor

May 6, 1996

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint MUSOLF, MARK E., of Madison, as

a member of the Public Intervenor Board, to serve for the term ending July 1, 1999.

Sincerely,

TOMMY G. THOMPSON
Governor

Read and referred to committee on **Environment and Energy**.

**REFERRALS AND RECEIPT OF
COMMITTEE REPORTS CONCERNING
PROPOSED ADMINISTRATIVE RULES**

Senate Clearinghouse Rule 96-043

Relating to administration of the federal section 18 program.

Submitted by Department of Transportation.

Report received from Agency, May 8, 1996.

Referred to committee on **Transportation, Agriculture and Local Affairs**, May 9, 1996.

Senate Clearinghouse Rule 96-051

Relating to the rate of pay as a result of voluntary demotions by employes who are notified they may be subject to layoff.

Submitted by Department of Employment Relations.

Report received from Agency, May 7, 1996.

Referred to committee on **Human Resources, Labor, Tourism, Veterans and Military Affairs**, May 9, 1996.

MESSAGES FROM THE ASSEMBLY

By Charles Sanders, chief clerk.

Mr. President:

I am directed to inform you that the Assembly has passed and asks concurrence in:

Assembly Bill 776

Assembly Bill 873

Assembly Bill 876

Assembly Bill 940

Assembly Bill 1040

Assembly Bill 1054

Assembly Bill 1095

Concurred in:

Senate Bill 94

Senate Bill 117

Senate Bill 145

Senate Bill 215

Senate Bill 294

Senate Bill 369

Senate Bill 376

Senate Bill 382

Senate Bill 392

Senate Bill 416

Senate Bill 417

Senate Bill 418

Senate Bill 435

Senate Bill 445

Senate Bill 471

Senate Bill 472

Senate Bill 482

Senate Bill 483

Senate Bill 484

Senate Bill 522

Senate Bill 526

Senate Bill 570

Senate Bill 602

Senate Bill 631

Amended and concurred in as amended:

Senate Bill 323 Assembly substitute amendment 1 adopted

Senate Bill 391 Assembly substitute amendment 1 adopted

Senate Bill 437 Assembly amendments 1, 2, 3 and 5 adopted

Senate Bill 628 Assembly substitute amendment 1 adopted

Senate amendment 1 to **Assembly Bill 869** Assembly amendment 1 adopted

**MESSAGES FROM THE ASSEMBLY
CONSIDERED**

Assembly Bill 776

Relating to: payment of school tax credit proceeds; a social security number requirement for audited lottery tax credit claims; special charges Relating to lottery credit claims; creating a penalty for intentionally filing false lottery credit claims; state payment of lottery credit proceeds.

By Representatives Lehman and Bell, by request of The Department of Revenue.

Read first time and referred to committee on **State Government Operations and Corrections**.

Assembly Bill 1040

Relating to: committing certain violent crimes against an elder person and providing a penalty.

By Representatives Seratti, Silbaugh, Musser, Kreibich, Ott, Gunderson, Lorge, Cullen, Wirsch, Turner, Wasserman, Gronemus, Hasenohrl and Olsen; cosponsored by Senators Drzewiecki, Breske and Darling.

Read first time and referred to committee on **Judiciary**.

Assembly Bill 1054

Relating to: modifying the definition of all-terrain vehicle.

By Representative Seratti, by request of Wisconsin ATV Association.

Read first time and referred to committee on **Transportation, Agriculture and Local Affairs**.

Assembly Bill 1095

Relating to: repealing the rejection of federal preemption over state interest rate provisions.

By committee on Assembly Organization .

Read first time and referred to committee on **Education and Financial Institutions**.

Assembly Bill 873

Relating to: criminal invasion of privacy, disorderly conduct and providing a penalty.

By Representatives Seratti, Musser, Plombon, Gard, Ourada, Porter, Dobyms, Goetsch, Olsen, Kreibich, Ainsworth and Gunderson; cosponsored by Senators Petak and Clausing.

Read first time and referred to committee on **Judiciary**.

Assembly Bill 876

Relating to: carrying or displaying a firearm and providing a penalty.

By Representatives Johnsrud, Goetsch, Duff, Ziegelbauer, Plache, Foti, Handrick, Lehman, Ott, Olsen, Brandemuehl, Urban, Gronemus, Powers, Albers, Boyle, Kreibich, Ladwig, Freese, Vrakas, Ainsworth, Hahn, Harsdorf, F. Lasee, Kaufert and Prosser; cosponsored by Senators Darling, Rude, Buettner and Rosenzweig, by request of Governor Tommy G.

Thompson.

Read first time and referred to committee on **Senate Organization**.

Assembly Bill 940

Relating to: the painting of farmhouses located in the Lower Wisconsin State Riverway.

By Representatives Johnsrud, Ainsworth, Otte, Musser, Jensen, Albers, Goetsch, Kreuser, Gronemus, Zukowski, Seratti, Meyer, Klusman, Grothman and Freese; cosponsored by Senators Rude and A. Lasee.

Read first time and referred to committee on **Environment and Energy**.

ADJOURNMENT

Senator Rude, with unanimous consent, asked that the Senate adjourn until Tuesday, May 14 at 10:00 A.M..

Adjourned.

10:01 A.M.